

WISCONSIN LEGISLATIVE COUNCIL STAFF

RULES CLEARINGHOUSE

Ronald Sklansky
Director
(608) 266-1946

Richard Sweet
Assistant Director
(608) 266-2982



David J. Stute, Director
Legislative Council Staff
(608) 266-1304

One E. Main St., Ste. 401
P.O. Box 2536
Madison, WI 53701-2536
FAX: (608) 266-3830

CLEARINGHOUSE RULE 95-080

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated October 1994.]

2. Form, Style and Placement in Administrative Code

a. There are several significant changes made by the rule-making order that are not explained in the plain language analysis to the rule. Specifically, the analysis should explain that the rule expands the department’s role in the impaired professionals procedure by giving the coordinator the authority to make eligibility determinations. Also, the analysis should explain why the phrases “and alcohol” and “or alcohol” are deleted in s. RL 7.06 (1) (d) and (2) (d).

b. In s. RL 7.05 (1) (f), does it make sense to designate “the procedure” as the entity to which information may be released?

4. Adequacy of References to Related Statutes, Rules and Forms

Section 15.08 (5) (b), Stats., which the department lists as a statute authorizing promulgation, grants authority to define and enforce professional conduct and unethical practices to examining boards, not to the department. Since this rule is being promulgated by the department, s. 15.08 (5) (b), Stats., should not be cited.

5. Clarity, Grammar, Punctuation and Use of Plain Language

Section RL 7.03 (3) should address the situation that may arise when the board liaison and the department’s coordinator disagree on whether a professional should be eligible for the impaired professionals procedure.